

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ILSA MACHINE CORP. d/b/a/	:	
COLUMBIA DRY CLEANING MACHINES	:	07 CV 0032 (JS) (WDW)
	:	
Plaintiff,	:	
-against-	:	Declaration of T. Steven Har
SATEC (U.S.A.) LLC, CLEANERS FAMILY,	:	In Response to the Court's Order
and ABRAHAM CHO, Individually and in	:	Dated October 20, 2009
His Official Capacity	:	
Defendants.	:	
-----X	:	

T. Steven Har declares:

1. I am a member of Duane Morris LLP, attorneys for Defendants SATEC (U.S.A.) LLC, Cleaners Family and Abraham Cho ("Defendants") in this action.
2. Annexed herewith as Exhibit "A" is a true and signed copy of Declaration of Jung Chull Choe.
3. Annexed herewith as Exhibit "B" is a signed copy of Declaration of Man Soo Roh.

Pursuant to 28 U.S.C. § 1746, I declare under the penalties of perjury that the foregoing is true and correct.

Dated: New York, New York
October 29, 2009

/S/
T. Steven Har (TSH 2601)

Exhibit “A”

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MICHAEL S. KIMM, ESQ.
190 MOORE STREET, SUITE 272
HACKENSACK, NJ 07601
201-342-3377
Attorney for defendants

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ILSA MACHINE CORP. d/b.a :
COLUMBIA DRY CLEANING :
MACHINES, :
:

Plaintiff, :

v. :

SATEC (U.S.A.), LLC, :
CLEANERS FAMILY, ABRAHAM :
CHO, Individually and in His Official :
Capacity, ESTHER CHO, Individually :
and in Her Official Capacity and JC :
CHOI, Individually and in His :
Official Capacity, :

Defendants. :
-----X

07 Civ. 32 (JS)

**Declaration of Jung Chull Choe in
support of defendants' notice of
motion to dismiss the complaint**

JUNG CHULL CHOE declares:

1. I am one of the defendants in this action and I make this declaration in support of defendants' motion to dismiss the complaint.

2. My name has been misspelled in the caption as "JC Choi." Since September 2002, I have been the publisher and editor of Cleaners Family magazine.

3. Cleaners Family is a trade magazine owned by Abraham and Esther Cho, as a proprietorship, and it is published for the commercial dry cleaning industry. Retailers and wholesalers read the magazine. I have final authority over all articles and advertising materials disseminated in the Cleaners Family.

4. This is not the first dry cleaners' trade magazine that I have published. Before Cleaners Family, between 1986 and 1996 I was the first publisher of a dry cleaning trade publication known as Korean Dry Cleaners Times.

5. Cleaners Family does not have any offices in New York State and generally does not solicit business in New York State. Neither Mr. Cho nor Mrs. Cho (who are passive owners) nor myself hold any property or maintain any address in New York State. The magazine is distributed from a mail drop located in Hackensack, New Jersey.

6. Currently, there are approximately 14,000 readers of Cleaners Family in the United States. We only print one "version" of the magazine, and the single version contains Korean-language articles and, from time to time, English-language articles or translations. Thus, any suggestion that any of our articles was written in the Korean language, so as to be surreptitious is contrary to reality. (Paragraph 20 of the complaint by Ilsa Machines Corp. states "It was strategically placed in this Korean version of the Cleaners Family brochure where the

likelihood of it being discovered by Ilsa was significantly lessened.” This is a cynical characterization removed from reality.).

7. Cleaners Family has a policy of open advertising and it receives advertising commitments from any person or company seeking to place lawful materials. One of the advertisers is Satec (USA), LLC. Cleaners Family does not prohibit or exclude or discourage any other dry cleaner manufacturer from placing advertisements. Had plaintiff desired to place an advertising for its Ilsa machine, Cleaners Family would gladly fill any advertising need, based upon established rates.

8. According to the complaint, plaintiff takes issue with what it repeatedly states to be the “November 3, 2006, article” but there is no such issue. Perhaps it is “Volume 6 Number 3” which was issued in “September 2006” but plaintiffs’ date appears to be erroneous.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 25, 2007



/s/ Jung Chull Choe
4/23/2007

Exhibit “B”

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X		
ILSA MACHINE CORP. d/b/a/	:	
COLUMBIA DRY CLEANING MACHINES	:	07 CV 0032 (JS) (WDW)
	:	
Plaintiff,	:	
-against-	:	
	:	
SATEC (U.S.A.) LLC, CLEANERS FAMILY,	:	
and ABRAHAM CHO, Individually and in	:	
His Official Capacity,	:	
	:	
Defendants.	:	
-----X		

Man Soo Roh, hereby state and declare as follows:

1. I am Man Soo Roh, the owner of two cleaning stores, Palos Park Cleaners and ES Cleaners in the Chicago area. If called as a witness to testify at trial, I could and would testify competently to the matters stated herein.

2. In or about May 2002, I opened ES Cleaners on 11237 W. 143rd Street, Orland Park, Illinois, 60467. For this new store, I purchased a well known Italian hydrocarbon machine. I purchased this machine on the recommendation of a mechanic. The brand name was Columbia Dry Cleaning HC550 machine.

3. About 11 months after I began using this machine, the vaporater coil in the machine exploded. After this accident, the laundry started to smell. I tried various means, but could not solve the problem. The mechanic who sold me the machined could not be contacted. I contacted the manufacturer but was told that I had to take care of the problem on my own because the "warranty period" was over.

4. I called another mechanic and cleaned the machine. That mechanic came to my store and cleaned the steam coil and vaporater coil about three times, but the smell persisted. I also got help from a chemical company to clean the machine. But the problem persisted. In or around late 2003 or early 2004, I had to give up on the machine and had laundry done at my Palos Park Cleaners which was being managed by my wife. However, I had to continue pay for the machine.

5. In or about May 2006, at the suggestion of Mr. Ki Moon Kim, a Chicago area dealer, I visited a store in the Chicago area named Bellwood Cleaners, where AnyClean brand machine was being used. Mr. Kim told me that AnyClean machine would solve the problems that I was having with the Italian machine.

6. At the Bellwood Cleaners, I happen to meet Byong Won Cho (also known as Abraham Cho) of Satec USA who was there to check on the installation of AnyClean machine. I had always wanted to meet Mr. Cho since I had heard about him as being an authority on the alternative solvent in cleaning business in the United States. I had read about his new cleaning principles in the cleaning industry magazines, including the Cleaners Family magazine and Korean Cleaner Times and was very interested in the cleaning machines that utilize Mr. Cho's principles, especially since the problems that I had with the Italian machine.

7. Mr. Cho explained to me as to why he thought I was having problems with the Italian machine and why such problems occurred. I thought Mr. Cho sounded very confident and knew what he was doing.

8. I now have gathered enough knowledge so as to give lectures on the conditions necessary for a hydrocarbon machine to do laundry. The weight of hydrocarbon should be light so that spinning speed of the drum is high. To do so, the machine should have soft mount

structure and have a structure and device that would not allow water and grim to stay in the machine. It seems like the Chicago area cleaners have a poor awareness compared with those in the other areas. I also had a poor awareness before I obtained this new knowledge. Its like I paid expensive tuition to obtain a good education.

9. It appears that people tend to buy the cleaning equipment from a company or a mechanic with whom they have a business relationship because of their relationship. However, I would suggest that people make a purchase after considering the machine's performance and the commitment of the manufacturer among other things. If the manufacturer or dealer that you bought the machine disappears after the purchase is made the purchaser would have no one to complain to. I believe products offered by Satec USA are reliable since it has been the leader in hydrocarbon machines for the past nine years and it continues to offer more improved and advance products as a result of continuous research and development in this area.

10. In or about early 2006, I received a telephone call from Mr. J. C. Choe of Cleaners Family magazine. I told him about my experience with the Italian machine and AnyClean machine. Mr. Choe told me that he was writing article on my experience. I gave him a permission to write about my experience. I have read the article that Mr. Choe wrote. The article is accurate depiction of my experience as I told Mr. Choe.

I declare under penalty of perjury that the foregoing is true and correct.



Man Soo Roh

Dated: June 17, 2009